

REMARKS

Claims 3, 5-20, 23 and 34 have been canceled.

Claims 1, 2, 4, 21, 22 and 24-33 and 35-39 remain pending in the application. Of these, claim 38 is currently amended.

Claim 38 is rejected under 35 U.S.C. §103(a) over Armstrong U.S. 2,998,817 (Armstrong '817) in view of Johnson, Jr. U.S. 4,628,945 (Johnson '945). Claim 38 has been amended in view of this rejection. Armstrong '817 discloses a flexible sheet material having top and bottom impermeable layers with the top layer having perforations. Johnson '945 discloses a permeable compressible layer between two outer joined impermeable sheets which form an airbag. Johnson '945 does not teach or suggest laminating the permeable, compressible layer to a non-permeable layer, as defined in claim 38. In the device of Johnson '945, such lamination would, in effect, inhibit the ability of the compressible layer to freely move within the airbag to thereby readily conform to the shape of the lower extremity or other body region to which the brace is applied. Proper fit/conformation of a brace to the lower extremity is the problem the device of Johnson '945 is intended to solve. The filler material in the device of Johnson '945 has a sufficient volume of entrapped air to obviate the need for additional or supplemental inflation (see col. 4, lines 11-21). That is, air is not circulated through the airbag. As a result, the volume of air in the airbag remains constant, resulting in an increase of pressure within each airbag (see col. 4, lines 27-37). Therefore, even in combination, the cited references do not teach or suggest a flexible sheet material providing a means for directing air through a first layer such that airflow through an air inlet displaces air from the first layer, as also defined in the amended claim 38. As the cited references do not render the amended claim obvious, Applicant respectfully requests that the rejection be withdrawn.

The Examiner indicates that claims 1, 2, 4, 21, 22, 24-33, 35-37 and 39 are allowed.

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Amendment E

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Reconsideration in view of the foregoing amendments and remarks and allowance of claims 1, 2, 4, 21, 22 and 24-33 and 35-39 is respectfully requested.

Respectfully Submitted,

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LAURENCE SHAW/9493.17285/050705 AMENDMENT E

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